AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Eastern District of New York

SIMON ROJANO, individually and on behalf of others similarly situated,)))		
Plaintiff(s) v. ENERGY FUEL CAFE, INC. (d/b/a ENERGY FUEL CAFE) and SONY BARIBARI)	Civil Action No.	25-cv-1668
Defendant(s))		

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) see attached rider

A lawsuit has been filed against you.

Date:

03/26/2025

Within 21 days after service of this summons on you (not counting the day you received it) - or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, whose name and address are:

> MICHAEL FAILLACE ESQ. 60 East 42nd Street, Suite 4510 New York, New York 10165 (212) 317-1200

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

BRENNA B. MAHONEY CLERK OF COURT

Cynthia Valera
Signature of Clerk or Deputy Clerk

Additional information regarding attempted service, etc:

Civil Action No.

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (1))

	name of individual and title, if any)		
ceived by me on (date,			
☐ I personally serv	ed the summons on the individual a	t (place)	
		on (date)	; or
☐ I left the summo	ns at the individual's residence or us	sual place of abode with (name)	_
		of suitable age and discretion who res	sides there,
on (date)	, and mailed a copy to the	he individual's last known address; or	
☐ I served the sum	mons on (name of individual)		, who
designated by law	to accept service of process on behal	If of (name of organization)	 ·
		on (date)	; or
☐ I returned the sur	mmons unexecuted because		;
☐ Other (specify):			
My fees are \$	for travel and \$	for services, for a total of \$	0.00
i declare under pena	alty of perjury that this information i	is true.	
	<u> </u>	Server's signature	
		Printed name and title	
		Server's address	

MICHAEL FAILLACE ESQ. 60 East 42nd Street, Suite 4510 New York, New York 10165 Telephone: (212) 317-1200 Facsimile: (212) 317-1620 Attorneys for Plaintiff

UNITED STATES DISTRICT COURT EASTERN DISTRICT OF NEW YORK

SIMON ROJANO, individually and on behalf of others similarly situated,

Plaintiff,

RIDER TO REQUEST FOR

SUMMONS

-against-

ENERGY FUEL CAFE, INC. (d/b/a ENERGY FUEL CAFE) and SONY BARIBARI,

Defendants.

ENERGY FUEL CAFE, INC. (d/b/a ENERGY FUEL CAFE) 606A Fifth Avenue, Brooklyn, NY 11215

SONY BARIBARI 606A Fifth Avenue, Brooklyn, NY 11215